



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**WASHINGTON, D.C. 20460**

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE  
OFFICE OF GENERAL COUNSEL

November 3, 2017

**Return Receipt Requested**

Certified Mail #: (b) (6) - Privacy

**In Reply Refer to:**

EPA File No. 05D-17-R9

Joshua Morrison, Property Manager  
Oakwood Worldwide, LLC  
22122 Victory Boulevard  
Woodland Hills, CA 91367

**Re: Rejection/Closure of Administrative Complaint**

Dear Mr. Morrison:

On November 29, 2016, the U.S. Environmental Protection Agency (EPA) External Civil Rights Compliance Office (ECRCO), formerly known as the Office of Civil Rights (OCR) received correspondence as a referral from the U.S. Department of Justice, and received additional correspondence from a former tenant of your property on January 12, 2017, involving Oakwood Worldwide, LLC. The correspondence generally alleges that the Woodland Hills AvalonBay complex, inclusive of the Oakwood Worldwide portion, refused to honor an Americans with Disabilities Act reasonable accommodations agreement and that as a result of this, the former tenant was unable to live in apartments due to contamination from pesticide and herbicide use by the complex and carpet and toxic disinfectant use by neighbors, and that as a result of this, the former tenant was forced to vacate the apartments in June 2015. As discussed below, ECRCO does not have the required jurisdiction to accept this correspondence as a complaint for investigation. Accordingly, this matter is closed as of the date of this letter.

Pursuant to EPA's nondiscrimination regulation, ECRCO conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the appropriate Federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulation (i.e., an alleged

discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

After careful consideration, ECRCO has concluded that it cannot accept this complaint for investigation because Oakwood Worldwide, LLC is an applicant for, or a recipient of, EPA financial assistance. Therefore, ECRCO is closing the above-referenced complaint as of the date of this letter.

If you have questions about this letter, please feel free to contact Jonathan Stein, Case Manager, at 202-564-2088 (stein.jonathan@epa.gov).

Sincerely,



Dale Rhines  
Deputy Director  
External Civil Rights Compliance Office  
Office of General Counsel

cc: Kenneth Redden  
Acting Associate General Counsel  
Civil Rights & Finance Law Office

Deborah Jordan  
Acting Deputy Regional Administrator  
Acting Deputy Civil Rights Official  
U.S. EPA Region 9